

REMARKS/ARGUMENTS

The Final Office Action dated October 30, 2008 has been reviewed and carefully considered. Claims 1-2, 6-10 and 13-20 are pending. Reconsideration of the above-identified application in light of the amendment and remarks is respectfully requested.

In the Final Office Action, claims 1, 2, 8-10, and 15-20 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Maeda et al. (U.S. Patent 6,556,546) in view of Na et al. (U.S. Patent No. 6,504,996). It is respectfully submitted that independent claims 1, 8, 15 and 18 are patentable over Maeda and Na for at least the following reasons.

Amended independent claim 1 has been amended to recite "...wherein said navigation data stream includes at least one of, in-stream data and out-stream data, data for searching and data for generating menus *wherein the navigation data also includes data for reproduction control and/or hyperlink data to enable users to visit related websites or obtain viewing authorization information...*"

Applicants can find nothing in Maeda and Na that teaches the above limitations. Amended independent claim 8, 15 and 18 recite similar limitations.

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference

or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Since Maeda and Na, alone or in combination, fail to disclose each and every element claimed, applicant submits that the reason for the Examiner's rejection of claims 1, 8, 15 and 18 has been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of claims 1, 8, 15 and 18.

In the Office Action, claims 6, 7, 13 and 14 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Maeda in view of Na and in further view of Rotem et al. (U.S. Patent No. 7,043,484).

With regard to the dependent claims 2, 6-7, 9, 13, 14, and 16-20 these claims ultimately depend from one of the independent claims, which have been shown to be allowable in view of the cited references. Accordingly, claims 2, 6-7, 9, 13, 14, and 16-20 are also allowable by virtue of their dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. Entry of this amendment and a Notice of Allowance is respectfully requested.

Respectfully submitted,

Dan Piotrowski
Registration No. 42,079



By: Thomas J. Onka
Attorney for Applicant
Registration No. 42,053

Date: December 30, 2008

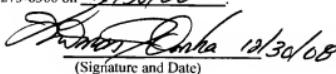
Mail all correspondence to:

Dan Piotrowski, Registration No. 42,079
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9624
Fax: (914) 332-0615

Certificate of Mailing/Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA. 22313-1450 or transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No (571) 273-8300 on 12/30/08.

Thomas J. Onka
(Name of Registered Rep.)


Thomas J. Onka 12/30/08
(Signature and Date)